

THE INDYPENDENT

Issue #142, October 30 – November 19, 2009
A FREE PAPER FOR FREE PEOPLE

Our Water at Risk

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Teeters on the Edge
of a Controversial
Natural Gas Drilling
Bonanza.
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The Indypendent is a New York-based free newspaper published 17 times a year on Fridays to our print and online readership of more than 100,000. The newspaper is a labor of love by a network of volunteers who do all of the reporting, writing, photography, illustration, editing, designing, distribution, fundraising and website management. Since 2000, more than 600 citizen journalists, artists and media activists have contributed their energy to this project. Winner of dozens of New York Community Media Alliance awards, *The Indypendent* is dedicated to empowering people to create a true alternative to the corporate press by encouraging people to produce their own media. *The Indypendent* is funded by subscriptions, donations, grants, merchandise sales, benefits and advertising from organizations with similar missions. We accept submissions that look at news and culture through a critical lens, exploring how systems of power — economic, political and social — affect the lives of ordinary people locally and globally. *The Indypendent* reserves the right to edit articles for length, content and clarity.

The Indypendent is the newspaper project of the New York City Independent Media Center, which is affiliated with the global Indymedia movement (indymedia.org), an international network that is dedicated to fostering grassroots media production. NYC IMC sponsors three other volunteer projects: the children's newspaper *IndyKids*, the IndyVideo news team and the NYC IMC open publishing website (nyc.indymedia.org).

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community calendar

PLEASE SEND EVENT ANNOUNCEMENTS TO INDYEVENTS@GMAIL.COM.

THU NOV 5

7pm • Free
DEBATE: BOYCOTTING ISRAEL. Palestinian human rights activist Omar Barghouti and Rabbi Mordechai Liebling debate whether boycotts, divestment and sanctions against Israel are counter-productive to the pursuit of peace in the Middle East.
Columbia University, Altschul Hall Room 417, 420 W118th St
adalahny.org

FRI NOV 6

8pm • Donation suggested
FILM: *OUTSIDE THE LAW: STORIES FROM GUANTÁNAMO*. The screening is followed by Q&A with British filmmakers Polly Nash and Andy Worthington.
Alwan for the Arts, 16 Beaver St
646-732-3261 • alwanforthearts.org

SAT NOV 7

1-5:30pm • \$40 (materials included)
WORKSHOP: MAKE A SOLAR SONIC GADGET. Learn some the fundamentals of electronic tinkering.
Solar One, E 23rd St and the East River Call/email to RSVP: 212-505-6050
neidl@solar1.org

7pm • \$8
FILM: *THE BLACK PRESS: SOLDIERS WITHOUT SWORDS*. This documentary directed by Stanley Nelson recounts the pioneering men and women of the Black press who gave voice to Black America.
Freedom Hall, 113 W 128th St
212-222-0633 • socialism.com

7pm • Free
READING: REBECCA SOLNIT reads from her new book, *A Paradise Built in Hell: The Extraordinary Communities That Arise in Disaster*.
Bluestockings, 172 Allen St
212-777-6028 • bluestockings.com

SUN NOV 8

7pm • Free
BOOK RELEASE: *MY BABY RIDES THE SHORT BUS*. Co-editor Jennifer Silverman reads from her new anthology about raisings kids with disabilities.
Espresso 77, 35-57 77th St, Qns
718-424-1077 • espresso77.com

MON NOV 9

Noon-2pm • Free
LECTURE: ISRAELI JOURNALIST AMIRA HASS. The award-winning *Haaretz* reporter discusses Israel's occupation of Palestine at a brown bag lecture sponsored by the Middle East Institute.
Columbia University, Knox Hall Room 208
122nd Street and Broadway
sipa.columbia.edu/mei

7:30pm • \$6/\$10/\$15 sliding scale
DISCUSSION: TALKIN' BOUT MY GENERATION: INDIE MUSIC AS LABOR. Stanley Aronowitz, David Harvey, Sheebani Patel, Marc Ribot and Matana Roberts discuss whether collective economic action can effect positive change in the postmodern music industry.
Brecht Forum, 451 West St
212-242-4201 • brechtforum.org

TUE NOV 10

7pm • Free
HEARING: NEW YORK NATURAL GAS DRILLING. Public comment forum hosted by the New York State Department of Environmental Conservation about hydro-frack drilling in New York. Kill the Drill Campaign plans to hold a rally prior to the hearing.
Stuyvesant High School, 345 Chambers St
718-482-4900 • dec.ny.gov

7pm • \$5 Donation
SCREENING: *THE END OF POVERTY?* The film draws a straight line between global inequities and the history of military conquest, slavery and colonization. Event features a 25-minute sneak peak, followed by a discussion with filmmaker Philippe Diaz and *The Indypendent's* Arun Gupta.
Co-sponsored by *The Indypendent*.
Bluestockings, 172 Allen St
212-777-6028 • bluestockings.com

THU NOV 12

7pm • \$5-10 Donation
FILM SCREENING: *SOME PLACE LIKE HOME*. New documentary about gentrification in downtown Brooklyn and Fort Greene. Fundraiser for FUREE (Families United for Racial and Economic Equality) and South Brooklyn Legal Services.
Geraldo's Cafe, Fein Hall, Brooklyn Law School, 202 State St, Bklyn
furee.org • sblls.org

READER COMMENTS

Post your own comments online below each article at indypendent.org or email letters@indypendent.org.

Response to "Working for Change: An Interview with Dan Cantor, Executive Director of the Working Families Party," Oct. 9:

Working Families Party is, for all intents and purposes, a caucus of the Democrats. Why won't they just admit that and keep doing what they do? It is disingenuous to pose as an independent party but work within the Democratic Party, with all the deal-making and compromising that entails. How can they claim to oppose Mayor Michael Bloomberg and the term limits coup, then turn around and endorse City Councilmember Christine Quinn (who enabled Bloomberg's third term) against a progressive challenger?

—DAVE SCHWAB

Responses to "Labor Debates Its Dilemma: Democracy or Power? A Review of Embedded with Organized Labor," Oct. 9:

I don't think organizing the unorganized and union democracy are mutually exclusive. The critique is more, as I understand it, that the way SEIU and other unions are organizing in many cases is undemocratic due to workers' lack of involvement in the process. All too often, the corporate unionism ethos emphasizes "selling" the union card as a commodity, not as a ticket to entering a greater social movement with working people at the fore.

—FALSE CHOICE

I would disagree that workers' lack of involvement in the organizing process is necessarily undemocratic. When I think of union democracy, I think of workers having control over the local and making the decisions — and I think the author shares that sentiment. In SEIU and most union campaigns where workers are fighting tooth and nail to join, those workers are an integral part of the campaign — they are the campaign (and the union). In few instances (albeit high profile — nursing homes in California), do bosses allow without a fight the workers to join labor unions. The workers must fight and the organizing union must put in real resources

(organizers, money, research). This is where the SEIU model is appealing, because like them or hate them, the SEIU places real resources into organizing new members.

—A LIGHT PURPLE



THU NOV 12 • FILM SCREENING: *SOME PLACE LIKE HOME*

FRI NOV 13

7pm • Free
THEATER: HUMAN RIGHTS. Village Playback Theatre Company will spontaneously enact your stories linked to the theme of human rights.
First Presbyterian Church, 124 Henry St
villageplaybacktheatre.org
ptunesco08@gmail.com

FRI NOV 13 & SAT NOV 14

8:30am – 5:30pm • \$60; students \$35
CONFERENCE: LIVING-WAGE JOBS FOR ALL. Bill Quigley, Glen Ford, Robert Pollin, Holly Sklar and others speak at the National Conference to Create Living Wage Jobs For All.
Two locations, visit website for info.
212-972-9879 • jobsconference.org

SAT NOV 14

11am • Free
TOWN HALL: EXPANDING JUDICIAL DISCRETION IN DEPORTATION HEARINGS. Families affected by deportation, advocates, judges, lawyers and elected officials discuss how immigrants are often denied a fair day in court before being deported.
STAR Senior Center, 650 W 187th St
212-781-0355 • starseniorcenter.org

MON NOV 16

6:30-9pm • \$6/\$10/\$15 sliding scale
BOOK PARTY: *HARLEM VS. COLUMBIA*. Author Stefan M. Bradley discusses his new book *Harlem vs. Columbia University: Black Student Power in the late 1960s*.
Brecht Forum, 451 West St
212-242-4201 • brechtforum.org

THU NOV 19

4-6 pm • \$20
TEACHER WORKSHOP: NATIVE AMERICAN HERITAGE MONTH. Learn how to integrate native peoples' heritage into your curriculum.
Nitchen Children's Museum of Native America, 550 W 155th St
Call/email to RSVP: 212-694-2240
Nitchen@verizon.net

FRI NOV 20

6-10pm • Free
VIGIL: TRANSGENDER DAY OF REMEMBRANCE. This day is observed nationally as a time to reflect on all of the transgendered people who have been killed in hate crimes.
LGBT Center, 208 W 13th St
212-620-7310 • gaycenter.org



RIGHT-WING RADIO RAGE

By BENNETT BAUMER

Local right-wing radio broadsided a New York City-based youth newspaper in a long-winded anti-liberal spiel Oct. 20. *IndyKids*, a volunteer-run newspaper that provides news for 8- to 14-year-olds from a progressive point of view, was targeted on Steve Malzberg's show on WOR 710AM for its coverage of healthcare, gay rights, food justice and labor unions. In its fall edition, *IndyKids* spotlighted uninsured Americans and how other industrialized nations run their healthcare systems. Malzberg and his guest could not contain their contempt and said *IndyKids* was "twisted, sick stuff," "outrageous indoctrination," and "pro-union, anti-American."

"*IndyKids* is usually the only progressive publication for kids, if there is any, found in schools and libraries," said *IndyKids* editor Amanda Vender. "The rest are all from the right or support mainstream consumerism and corporate and government power."

The attack on *IndyKids* was mixed in with diatribes against immigrant grandmothers, the French, Ben and Jerry's ice cream, people without insurance and gays and lesbians. "This is outrageous indoctrination," Malzberg said. "It starts them real young ... on every leftist ideology."

"It is striking that the right-wing pundits seem to believe that their perspectives will not hold up when compared to those of *IndyKids*," Vender said. "Why not allow kids free access to information and let them draw their own conclusions?"

IndyKids is one of many publications found in public and private schools such as *God's World News*, *Junior Scholastic*, *Illustrated for Kids*, *The O'Reilly Factor for Kids* and *Nintendo Power*.

IndyKids was founded in 2005 as a sister project of *The Independent*. Its motto is "a free paper for free kids." It is currently published five times a year during the school year and is distributed to a growing readership throughout the country.

"A free paper for free kids, they must have the wrong country," Malzberg said.



TARGETED: *IndyKids* provides news for 8- to 14-year-olds from a progressive point of view. It was recently attacked by conservative shockjock Steve Malzberg on 710AM. For more, indykids.net.

It's Time to Cross That Bridge



REALITY CHECK: Climate activists on the Brooklyn Bridge Oct. 24. Flicker.com/00HMYGEEZ

PATERSON'S PROPOSED CUNY CUTS PROMPT PROTESTS

By JOHN TARLETON

More than 400 CUNY and SUNY faculty, students and staff and their supporters rallied in the rain at Hunter College Oct. 27 to protest proposed mid-year budget cuts.

"CUNY (City University of New York) should be a sacred cow. You should never cut money for educa-

tion," said City Councilmember Charles Barron (D-Brooklyn). "If there is bailout money for Wall Street, there should be bailout money for CUNY."

The cuts would lop \$53 million from 11 senior colleges and \$9.9 million from CUNY's six community colleges. State University of New York (SUNY) colleges would lose \$90 million. These cuts would come on top of a \$64 million budget cut that was imposed last year on CUNY senior colleges. Tuition also rose 15 percent at CUNY's senior colleges and 12.5 percent at its community colleges.

CUNY is the nation's largest urban public university, with more than

250,000 degree-seeking students.

"We're going to have to do more with less," said Hostos Community College English professor Craig Bernardini, who teaches intensive writing classes for beginning students. "It's really hard to give students individual attention when you have classes of 29 or 30."

"Education is the foundation of any prosperous, successful society," said Hunter College senior Sarah Newgaard. "The last thing they should be cutting is education."

The New York State Legislature will meet in a special session Nov. 10 to address a projected \$3 billion budget deficit.



Tenants Get an Edge

By BENNETT BAUMER

Legal Services attorneys continue to work the front lines protecting tenants from predatory landlords. Two recent court cases have building owners thinking twice about committing fraud in order to swindle money from tenants.

For the poorest tenants, obtaining a government subsidy to pay escalating rents is often the difference between homelessness and a stable apartment. Unfortunately, some landlords take advantage by exacting so-called "side deals," or fraudulently charging the tenant in excess of the subsidized lease agreement or the legal regulated rent (for rent-regulated apartments).

"[Side deals] are very common, maybe even routine," said James Jantarasami, a Bronx-based Legal Services New York City staff attorney. "The city doesn't check what the legal regulated rent is. Tenants are desperate to rent an apartment and willing to sign on."

In a case settled a couple of months ago, Jantarasami said he represented a domestic violence victim who was pinned by a side deal while trying to move out of a city homeless shelter. In *Assoc. v. CW*, the tenant was receiving Housing Stability Plus rental assistance from the city's Department of Homeless Services. Through a real-estate broker, she had negotiated a lease agreement for \$820 a month, which her government rental subsidy would be able to cover in full. However later in the same day, the landlord's managing agent foisted a new lease for \$1,150 upon her. The landlord did not turn over the keys to the apartment until the tenant signed the more expensive lease.

The judge in the case found the landlord's actions "unconscionable" and that the real-estate broker and landlord's managing agent had "forced respondent to choose between signing the \$1,150 lease ... and being left homeless with her child."

The apartment was infested with bedbugs. The tenant received a judgment of \$18,845.80 for the overcharge and an additional \$9,020 for the bedbug nightmare.

Another case that should pique tenants' interests is *Sylvie Grimm v. 151 Owners Corp.* Tenant attorneys have hope that the case will abolish the arbitrary four-year limit to claim a rent overcharge. On Sept. 24, the First Department of the New York Supreme Court Appellate Division found that when a landlord commits fraud to increase the rent, the courts and state housing agency are no longer barred from looking at records from more than four years prior to the tenant filing a complaint. Currently, tenant rent-overcharge complaints are thrown out of court if the overcharge occurred more than four years before the complaint was filed. The landlord could still appeal.

Fraud often occurs when a landlord falsely reports expensive renovations to a rent-stabilized apartment in order to justify increasing the rent to more than \$2,000 a month, the point at which the apartment can be deregulated. Once an apartment is deregulated, there are no restrictions on rent increases and the new tenant has little to no housing rights. Landlords can jack up the rent by the amount equal to 1/40 the costs of the renovations. Tenant advocates believe landlords also inflate the renovation costs and charge that the state housing agency does little to investigate the fraud. The appellate judges in the *Grimm* case agreed, and found the landlord overcharged the tenants and that the state housing agency "acted arbitrarily, capriciously and in disregard of its obligation in failing to consider whether the rent charged to petitioner was unlawful."

"*Grimm* has the potential to be a sea change," said Kenneth Hawco, the attorney who litigated the case. "[Landlords] won't be able to hide behind the statute of limitations if they committed fraud."

Bennett Baumer works as a tenant organizer on the West Side of Manhattan.

ON THE STREET

New Yorkers react to proposed sick day legislation.

INTERVIEWS AND PHOTOS BY JAISAL NOOR



JUNO
Jackson Heights
Hairstylist and small business owner

"I think [the bill] is only good for certain businesses. I used to have full-time employees here, but now I only hire help on the weekends. My business is not an upscale salon where I can afford to give my employees nine sick days with pay."

RABIA ALGHANI
Manhattan
Stage manager

"I already get 10 sick days from my work, so it wouldn't affect me personally. But I know plenty of people that work in the city that don't have any sick days and go to work sick knowing that they don't have any options, if they want to pay their rent and bills and feed their kids. This will bring people a lot more peace of mind."



AMANDA HARMAN
Harlem
Business owner, dog-walking company
 "It sounds like a great thing, especially for someone that could use it ... I used to have employees and be on the other side of it, and I think seems like [it should be a basic] human right or labor law."

BERNADETTE SCOTT

Crown Heights/Harlem
Unemployed
 "People cannot control when they get sick. People need income to support themselves and their families regardless of whether they're healthy or not. People may be skeptical, but until you are the one in need, I think you should keep your mind and your eyes open."



COUGH UP THE SICK DAYS

BY ELIZABETH HENDERSON

The fast-approaching flu season may end up actually benefiting New Yorkers.

The City Council is currently considering a bill that would require all employers to provide paid sick leave to their employees. Supporters point to concerns over H1N1 as one of the causes of the increased concern about New Yorkers who do not receive paid sick days.

"The fear of a swine flu epidemic has heightened interest in the lack of sick pay coverage for so many New Yorkers," said Sherry Leiwant, executive director of A Better Balance.

According to a new report, *Sick in the City*, nearly half of working New Yorkers — about 1.8 million — don't receive paid sick days. The study, authored by the Community Service Society and A Better Balance, also found that workers without sick days typically work in the hospitality, construction and manufacturing industries.

The Paid Sick Days Act (Intro. 1059), introduced by City Councilwoman Gale Brewer (D-Manhattan) in August, has garnered 38 sponsors, which is more than the 34 votes needed to override a mayoral veto. The City Council is scheduled to vote on the bill Nov. 16.

The bill would allow workers at medium-sized and large businesses to earn up to nine paid sick days, while employees at smaller businesses (those with fewer than 10 employees) could receive up to five paid sick days.

The proposal seeks to reduce the likelihood of spreading illness to other members of the workforce and the general public. It also allows eligible employees to use paid sick time for their own, as well as for a relative's, mental or physical illness, injury or health condition, or for preventative care, medical diagnosis or treatment.

"People who don't have paid sick days can't stay home when they're sick," Leiwant said in a recent press release. "And when their children get sick, that's a tougher choice. Often they can't keep them home from school because they

can't afford to take off work to stay home with them. So their sick children go to school."

For New Yorkers like Roberto, this bill could make the difference between a paycheck or a pink slip. A construction worker in Queens, Roberto, who does not receive sick days through his employer, was forced to miss work after he became ill on the job.

"One time I got sick and fainted on a construction job and I wound up in the hospital. When I tried to go back when I was feeling better, the boss told me to rest more and come back later. So I came back four times, but he never gave me back my job," said Roberto, who declined to give his last name.

Low-income Latino workers are among those most likely to go without paid sick leave, with 72 percent working for employers that fail to offer paid sick days.

While opponents of the Paid Sick Leave Act claim that the legislation would force employers to shoulder a significant financial burden, Donna Dolan, chair of the New York State Paid Family Leave Coalition, says the cost to employers is minimal, with small businesses looking at a cost of only \$5.71 a week if a worker actually takes a sick day.

San Francisco, Milwaukee and Washington, D.C., already have laws requiring paid sick leave.

Key groups advocating for paid sick days include the Working Families Party, the New York State Paid Family Leave Coalition and Make the Road New York.

Dan Cantor, the executive director of the Working Families Party, hopes paid sick days will become a "basic standard" in the workplace.

"Life without sick days is bad enough for working families," Cantor said. "But when half of New York City cannot afford to stay home when they get sick, it's a serious threat to public health."

Jaisal Noor and Tanya Sandler contributed reporting to this article.

MONEY AS SPEECH

BY ANN SCHNEIDER

Can Congress limit the amount individuals, including corporations, may spend to influence elections — or would that violate the First Amendment? In 1976, the Supreme Court ruled in *Buckley v. Valeo* that while individual campaign contributions can be limited, a candidate or campaign's expenditures cannot be limited without running afoul of the Constitution.

A majority of the Court felt then, and still feels, that capping a candidate's expenditures is "a drag on the First Amendment," and subjects that candidate to "discriminatory fundraising limitations."

Last year, in *Davis v. FEC*, a 5-4 majority struck down the "Millionaire's Amendment" in the 2002 McCain-Feingold campaign finance law. The amendment allowed candidates for the U.S. House of Representatives to triple individual fundraising limits when facing candidates who spent more than \$350,000 of their own money on a race.

Writing for the majority, Justice Samuel Alito argued that despite Congress's intention, there is no "legitimate government objective" in reducing "the natural advantage that wealthy individuals possess in campaigns for federal office."

Justice John Paul Stevens countered in his dissent: "There is no good reason to allow disparities in wealth to be translated into disparities in political power."

The ruling in *Davis v. FEC* is seen as providing an opening to sweep away limits on corporate campaign funding.

In a case now pending before the Supreme Court, Citizens United, a conservative "public interest" law firm, is challenging the right of the Federal Elections Commission (FEC) to regulate its distribution of *Hillary: The Movie*. Released during last year's presidential primaries, the movie was designed to warn voters of Clinton's "liberal plot for America," should she become the Democratic presidential nominee.

Under McCain-Feingold, upheld by the Court in 2003, funding sources must be disclosed for electioneering materials aired on television within 60 days of an election. Citing the legal doctrine of "corporate personhood," Citizens United claims the FEC violated its right to unfettered free speech.

The conservative majority, led by Chief Justice John Roberts, appears ready to use this case as the vehicle for allowing free-wheeling corporate spending. The Supreme Court ordered re-argument in September after the case had already been heard in March, and it specifically invited the parties to address

whether precedents upholding limits on contributions should be overturned.

In 2003, Justices Anthony Kennedy, Antonio Scalia and Clarence Thomas voted to overturn McCain-Feingold. Now they are joined by Alito and Roberts, who have spoken against campaign spending limits.

This overreaching by the conservative majority was not lost on Justice Ruth Bader Ginsburg, who asked Citizens United's lawyers whether corporations, even foreign-owned, should have the right to unlimited campaign spending. "A corporation, after all, is not endowed by its creator with unalienable rights," she wrote.

The doctrine that corporations are "persons" for purposes of Fourteenth Amendment rights to due process has been accepted uncritically by the Court for more than a century, since it first appeared in a footnote in the 1886 case, *Santa Clara County v. Southern Pacific Railroad Company*.

But 30 years ago there was a persuasive critique. In a 1978 decision, *First Nat'l Bank of Boston v. Bellotti*, the justices split 5 to 4 in striking down a Massachusetts law that prohibited corporations from spending to influence the outcome of referenda.

At issue was a proposal to enact a progressive income tax. In accordance with precedents that "corporations possess certain rights of speech and expression under the First Amendment," the majority ruled the state law unconstitutional.

The dissenters, Justices Thurgood Marshall, William Brennan and Byron White, were well aware of the implications of this ruling: "The governmental interest in regulation of corporate political communications [is to prevent] institutions which have been permitted to amass wealth as a result of special advantages extended by the State from using that wealth to acquire an unfair advantage in the political process. The State need not permit its own creation to consume it."

The Court may not announce a decision until the end of its term in May. A decision that favors corporations over working Janes and Joes could spark greater interest in a constitutional amendment proposed by Reclaim Democracy, a grassroots group committed to challenging corporate power, which states, "The U.S. Constitution protects only the rights of living human beings," and "Corporations and other institutions granted the privilege to exist shall be subordinate to any and all laws enacted by citizens and their elected governments."



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Homeless Shelters at Capacity

By Alex Kane

Herberth Rodriguez was about 17 years old when he was evicted from his Bronx apartment after his mother died in 2006. After briefly living with family, he became homeless.

“I didn’t know whether to go to the shelter, I was always in the streets, not knowing what to do,” Rodriguez said.

Now 20 years old, he has finally entered the shelter system. However, according to a recent study released by the Coalition for the Homeless, he may not have a roof over his head for much longer. The report, published on Oct. 4, is sounding the alarm over a “capacity crunch” in the municipal shelter system, particularly for single adults. As hundreds more homeless people enter the shelter system during the cold winter months, the city may run out of beds.

Rodriguez, who has been staying at emergency shelters throughout the city for almost two months, misses his partner and their one-year-old twins, who are currently living with her mother in a cramped apartment.

“[Being in the shelter] hurts, it’s very stressful and depressing,” Rodriguez said.

According to the report, so far this year there has been a 7 percent increase in the number of homeless adults in shelters, the

largest increase since the 2001 recession.

Patrick Markee, a senior policy analyst at the coalition for the Homeless, points to the convergence of rising unemployment, increasing evictions from apartments and the lack of affordable low-income housing in the city as the key causes of the crisis.

The potential for the city running out of shelter beds comes as the total homeless shelter population has hit nearly 40,000 — its highest mark since the Great Depression, according to the Coalition for the Homeless.

Mario Mazzoni, an organizer with the tenants’ rights group Metropolitan Council on Housing, blames New York City’s emphasis on for-profit housing for the shortage of affordable housing.


“As long as profit is the driving motive behind housing policy, you’re going to have a crisis of this proportion,” Mazzoni said.

With virtually all beds currently occupied, advocates worry that the municipal shelter system will soon be pushed to the brink. On the night of Oct. 26, there were only five available beds left for homeless single men, and a dozen vacant beds for homeless single women, according to Markee.

Since a landmark 1981 decision by the New York State Supreme Court and two subsequent court rulings, it is illegal for the city to deny any-



SHELTER FROM THE STORM: Herberth Rodriguez, 20, is worried he will not be able to find a bed in New York City’s shelter system this winter. PHOTO: ANDREW HINDERAKER



A Healthy Protest

Nine healthcare advocates were arrested Oct. 28 for refusing to leave the corporate offices of health insurance giant WellPoint, in lower Manhattan. The civil disobedience is part of a campaign organized by Mobilization for Health Care, which is demanding a single-payer system. Among the arrestees was *Indypendent* volunteer Sarah Secunda (left), who was carried out of the offices by NYPD officers. For more information, see indypendent.org. —JAISAL NOOR

PHOTO: JOSEPH HUFF-HANNON

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Hate Crime Collision

BY JAISAL NOOR

Shareena Rahat was sitting in traffic on the Grand Central Parkway in Queens when the slurs began.

"Dumb fucking Pakistani, why don't you go home?" yelled Michael Doherty, gesturing angrily at Rahat. She was on her way to an Astoria mosque to break the Ramadan fast with her two eldest children, and was wearing a hijab, the scarf worn by Muslim women as a sign of modesty.

Rahat's 11-year-old daughter didn't even think that Doherty was talking to them.

"He can't be talking to us, we're not even Pakistani, Mom," she said. Rahat immigrated to the United States from Guyana 27 years ago.

Rahat ignored Doherty's insults at first, but after he spat on her car and swerved into her lane, in an attempt to cause a collision, inaction was no longer an option. She immediately pulled out her cell phone to call 911, which only angered Doherty further. He veered toward them again.

"He then gets out of the car and started cursing again. He comes to my window and knocks the phone out of my hand," Rahat said.

The Queens district attorney charged Doherty, a 41-year-old Queens resident, with assault and harassment as a hate crime after the Sept. 7 incident. Queens Legal Associates, which is representing him, could not

be reached for comment. The Queens County district attorney's office refused to comment on the case.

Muslim organizations across the country, as well as advocates of religious freedom, claim there has been an increase in hate crimes. The Council of American-Islamic Relations (CAIR) points to more than dozen recent incidents across the country in which Muslims have been physically assaulted or harassed.

Nearly six in ten American adults — 58 percent — say that Muslims are experiencing more discrimination than other religious groups, the Pew Forum on Religion and Public Life reported in a September 2009 study. Further, CAIR expressed concern about a "spike" during the month of Ramadan, which ended on Sept. 19 this year.

For Rahat, however, this incident was only the beginning — it took nine days for Doherty to be arrested. Though she called 911 from the scene of the crime, Rahat had to visit two local precincts, as well as track down phone records and recordings of the 911 call, before police acted and arrested him.

Many observers are not surprised by Rahat's experience.

"Across the country I have had many peo-



MUSLIM IN AMERICA: Long Island resident Shareena Rahat poses with her children. She says that facing discrimination is an everyday reality. PHOTO: ARAMIC NEWSPAPER

spite the city's diversity, Muslims, especially those wearing religious clothing such as hijabs, are often targets of hate.

"It's a reality for us the minute we step out of our neighborhoods," Sarsour said. "We need to put ourselves out there more to show that we are all the average American. Everyone is after the American dream. We are peaceful people," Kahn said.

Though Rahat, who works as a nurse at a health clinic in Queens, says that she has experienced similar incidents before,

this is the first time she felt physically threatened. She is also troubled by the impact the encounter has had on her children.

"Now my kids want to hide their identity. My eldest [daughter] doesn't want to wear hijab or scarf on the way to mosque, even in the car. They are scared someone will attack us or pull out a gun on us," Rahat said.

"Especially in the United States of America, in New York, it's outrageous that people have to tolerate this kind of hatred and vindictiveness," Rahat said. She added that she has asked the prosecutor to require Doherty to perform community service in the Muslim community.

PICTURE THE HOMELESS

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DRILLING DEEP INTO CONTROVERSY

By Jessica Lee

For more than a year, a swelling movement of landowners, politicians, individuals and environmental organizations has been pressuring New York State to strongly regulate — or even ban — a natural gas drilling process that could wreak havoc on the environment.

Opposing them are big energy companies throwing around hundreds of millions of dollars to snap up land leases in the state so they can tap huge natural gas reserves thousands of feet underground.

At stake are freshwater sources for millions of people in Philadelphia, New York and the countryside, as well as watersheds that replenish environmental treasures from the Great Lakes and St. Lawrence River to the Delaware River and Chesapeake Bay.

The issue has now come to a head. After the state released a much-awaited environmental impact statement, opponents blasted it as incomplete and said it was unacceptable that only 60 days were allotted for public comment.

On Sept. 30, the state Department of Environmental Conservation (DEC) issued an 809-page draft Supplemental Generic Environmental Impact Statement On The Oil, Gas and Solution Mining Regulatory Program (SGEIS). The DEC states it is offering a plan to regulate drilling activities that would minimize environmental and public health risks. It would streamline the process of allowing companies to apply for a drilling permit to the DEC without completing an environmental im-

pact statement for each well site.

Four public meetings are scheduled across the state, and the deadline for public comment on the report is Nov. 30, but many New Yorkers are already speaking out.

“The plan for industrial gas drilling in New York State is an irresponsible plan, because it is not a plan at all,” said Lisa Wright, a member of Shaleshock Citizens Action Alliance, a group organizing Finger Lakes residents against shale drilling.

The battle is over drilling in shale formations laid down hundreds of millions of years ago and which now cover most of New York State. Proponents of drilling say natural gas in the Marcellus and Utica shale formations, which plunge down to 7,000 feet beneath the earth and stretch from New York to Tennessee, could help the United States achieve energy independence. Opponents say given the record of shale drilling in other states, the risks to the environment and public health are far too great for what is still a dirty fossil fuel.

Because the natural gas is trapped in tiny bubbles in the shale, energy companies use explosives and a technique called hydraulic fracturing or “fracking.” Fracking involves pumping millions of gallons of water mixed with toxic chemical concoctions and sand down a well under high pressure to crack the shale and release the gas.

The fracking fluid has drawn the ire of environmental and public health advocates. More than 260 chemicals are known to be used — many of them known carcinogens and endocrine disrupters — while other chemicals are guarded by drilling companies as “trade secrets.”

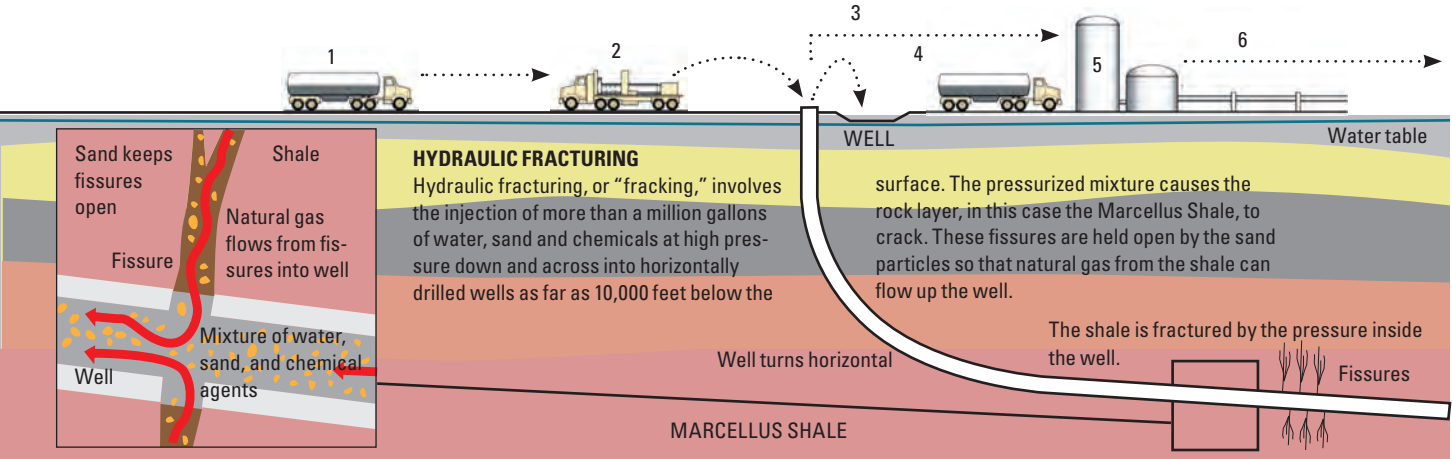
The main concerns are air and water pollution, massive volumes of water required, the pumping of chemicals that have been shown to spread nearly 30 miles underground, the leaking of methane and other chemicals into residential water sources, onsite storage of waste fluids and chemicals, and disposal of used fracking fluid that resurface with additional chemicals, including metals, salts, bacteria and naturally occurring radioactive materials.

New York City residents and organizations have mobilized to fight for a drilling ban in the Catskill/Delaware Watersheds, which are the source of 90 percent of the 1.3 billion gallons of water used daily by nine million residents in the city and upstate. The city and state have spent billions of dollars over the years to preserve some 144,000 acres of land and build reservoirs and tunnels to funnel potable, unfiltered water downstate. According to the SGEIS, 1,077 square miles — or approximately 70 percent of the watershed — could be open to natural gas drilling permits. The Marcellus and Utica shale jut under the western Catskill Mountains.

“The SGEIS takes a disappointing and reckless position on the protection of the Catskill/Delaware watershed,” said Manhattan Borough President Scott Stringer in a statement at the City Council Environmental Protection Committee hearing Oct. 23. Stringer lambasted the DEC for even contemplating “the potential exposure of New York City’s unfiltered water supply to benzene, formaldehyde ... and hundreds of other endocrine disrupters and carcinogenic chemicals used for hydraulic fracturing.”

Last February, Stringer’s office issued the report, “Uncalculated Risk: How Plans to Drill for Gas in Upstate New York Could Threaten New York City’s Water System.”

Continued on page 10



The Boom

By Arun Gupta

Oil and gas is about economics. When prices go up and stay up, exploration, drilling and production expand. When prices crash, wells are mothballed and exploration plans shelved.

In the summer of 2008, natural gas hit a record price of more than \$13 per thousand cubic feet. The high prices, along with technological advances and rebranding of natural gas as a “clean” fossil fuel, spurred a race to exploit unconventional gas sources throughout the United States. (Clean is relative; for the same energy yield, natural gas produces 70 percent of the carbon emissions of oil.)

It’s long been known that shale rock formations contain vast amounts of natural gas, but they were impossible to exploit until the development of advanced methods of hydraulic fracturing. Halliburton invented the process of “fracking” about 60 years ago. The current method uses high-pressure streams of water mixed with chemicals and sand to fracture the shale, releasing the natural gas.

About a decade ago, drilling boomed in the Barnett shale in Texas, aided by “slick-water fracs,” horizontal drilling and advanced imaging of reserves. Since then, shale fracking has spread to Colorado, Wyoming, Arkansas, Pennsylvania and New York’s doorstep, with thousands of wells in play.

Estimates on recoverable shale reserves vary wildly, but the federal government puts it at 742 trillion cubic feet, enough to supply U.S. natural gas needs for more than 30 years at the current rate of consumption.

The boom in U.S. shale drilling is spreading, “raising hopes of a huge expansion in global reserves,” according to the *New York Times*. “Italian and Norwegian oil engineers and geologists have arrived in Texas, Oklahoma and Pennsylvania to learn how to extract gas from layers of a black rock called shale. Companies are leasing huge tracts of land across Europe for exploration. And oil executives are gathering rocks and scrutinizing Asian and North African geological maps in search of other fields.”

In New York State, no horizontal wells have been drilled in the Marcellus or Utica shale, though these formations have been tapped in Pennsylvania and Canada. (Horizontal wells access more of the formation, allowing for greater recovery rates of natural gas, but this makes them more likely to contaminate water supplies.)

Tapping these huge reserves helped push natural gas prices down to less than \$3 per thousand cubic feet earlier this year. Because of the high production costs of shale plays, some energy analysts say a price of \$7 to \$8 is needed to turn a profit.

But the price crash hasn’t stopped the gas rush. While the severe recession has reduced consumption, it has made many rural residents look to the gas companies for jobs and royalties to stimulate moribund regional economies.

Companies such as Hess Corp., Chesapeake Energy, Fortuna Energy and XTO Energy are offering hundreds of millions of dollars to lease land in New York State. In one instance, Fortuna Energy offered some landowners in New York State \$500 an acre now with an additional \$5,000 if the state approve drilling. It was a naked attempt to organize a small, but vocal constituency for unfettered drilling.

Local governments are getting in on the act. Broome County, which includes the city of Binghamton, has included in its last two annual budgets \$5 million in revenue from leasing 2,100 acres of land for drilling although it has not actually signed any deals.

Yet a number of costs are deliberately excluded: the environment and public health.

Continued on page 12

THE RISKS

Reported By Sue Smith-Heavenrich and Written By Jessica Lee

ENVIRONMENT

1. Water Use: According to New York State Department of Environmental Conservation’s draft Supplemental Generic Environmental Impact Statement (SGEIS) “2.4 million to 7.8 million gallons of water may be used for a multi-stage hydraulic fracturing procedure,” which would either be pumped from sources nearby or delivered by truck. New York State estimates that fracking could use “28 million gallons per day” from the Susquehanna River alone.

2. Those Frackin’ Chemicals: Using the “Halliburton loophole” in the 2005 Energy Policy Act, drilling companies have refused to release information on chemicals used in fracking because they are “trade secrets.” The SGEIS listed more than 260 chemicals used in fracking, many of which are known carcinogens and endocrine disrupters that can endanger animals and humans at very low levels. In the last six years, hydraulic fracturing has been linked to more than

1,000 documented incidents of water contamination in the western United States. These chemicals are stored on site, leading to other associated risks such as explosions.

3. Natural Gas Migration: Fracking loosens natural gas deposits and leads to leaks into surface and groundwater. In a handful of instances, homes have been blown up by methane escaping through well water, resulting in three deaths in one case.

4. Disposing of Wastewater: Wastewater from Marcellus shale wells will contain not only the “briny” water produced by the rock layers, but also heavy metals such as lead, arsenic and barium and fracking chemicals. This fluid is considered hazardous and must be treated at a local treatment plant. Most plants in New York State say they cannot handle both the concentration of salts and chemicals present and the quantity of waste. Fracking in Pennsylvania produces nine million gallons of wastewater a day. The state’s

first plant to treat “Total Dissolved Solids” in the wastewater won’t be operational before 2013 and will be able to handle less than 5 percent of the current waste stream. Currently wastewater is dumped in waterways or treated in sewage plants unable to process the chemicals.

5. Fragmenting the Landscape: A single site can require dozens of acres for the drilling pad, equipment and chemical storage, waste pits, pipelines and access roads. Many wells in one area could fragment wildlife corridors and agricultural areas, and lead to an increase in soil erosion and flooding, and provide pathways for invasive plant species.

HUMAN HEALTH

1. Endocrine Disrupters: These are man-made chemicals that mimic hormones or block hormones and disrupt the body’s normal function, even in very low concentrations. They have been linked to infertility, ADHD, autism, diabetes, thyroid disorders, and

childhood and adult cancers.

2. Just Irritations or Chronic Illness?: Most fracking chemicals can cause skin, eye and respiratory irritations, but over time can lead to gastrointestinal problems, chronic headaches, brain and nervous system disorders and respiratory dysfunction. Others are linked to immunity disorders such as Lupus.

3. Air Quality: Drilling may produce airborne pollutants such as arsenic, mercury, methane, benzene, toluene, nitrous oxides, hydrogen sulfide, volatile organic chemicals, radioactive materials, ozone and excessive diesel exhaust. This pollution contributes to asthma as well as chronic obstructive pulmonary disease.

Sue Smith-Heavenrich is a reporter in the Finger Lakes region and blogs at marcelluseffect.blogspot.com. For an exclusive series on natural gas drilling in the Marcellus shale, go to indydependent.org.

TAKE ACTION

Nov. 10 — New York State Department of Environmental Conservation (DEC) is hosting a hearing Tuesday, Nov. 10, at 7 pm. Stuyvesant High School, 345 Chambers Street, Manhattan.

Nov. 30 — The public can comment on the DEC’s draft Supplemental Generic Environmental Impact Statement online to Nov. 30. dec.ny.gov/energy/58440.html

Dec. 9 — The Delaware River Basin Commission (DRBC) may put the application for natural gas wells and water withdrawal on its Dec. 9 agenda. Members of the public are encouraged to send DRBC comments and attend the meeting. For more info: [delawariverkeeper.org; state.nj.us/drbc](http://delawariverkeeper.org/state.nj.us/drbc)

Call on U.S. senators and representatives to support the Fracturing Responsibility and Awareness of Chemicals (FRAC) Act, which would amend the Safe Drinking Water Act to give the U.S. Environmental Protection Agency authority over the hydraulic frac-

turing process of natural gas extraction. It would also force the industry to release the list of chemicals that it deems “trade secrets.” (S. 1215/H.R. 2766)

Urge New York City Council to support Resolution 2191 calling for the state to prohibit hydraulic fracturing combined with horizontal drilling for the extraction of natural gas within the boundaries of New York State. Resolution 2091 urges the U.S. Congress to pass the FRAC Act and for the EPA to apply stringent regulations to protect drinking water sources from contamination by hydraulic fracturing.

Contact New York State Legislature to support A8745/S6244, which would amend the environmental conservation law to ensure that the exploitation of shale natural gas resources is conducted in a manner consistent with the state’s commitment to sustainability and with other state economic development, energy and environmental policies.

RESOURCES

CATSKILL CITIZENS FOR SAFE ENERGY
catskillcitizens.org

CATSKILL MOUNTAIN KEEPER
catskillmountainkeeper.org

CROTON WATERSHED CLEAN WATER COALITION
newyorkwater.org

DELAWARE RIVERKEEPER
delawariverkeeper.org

DAMASCUS CITIZENS FOR SUSTAINABILITY
damascuscitizens.org

NYH2O
nyh2o.org

PROPUBLICA
propublica.org

SHALESOCK CITIZEN’S ACTION COALITION
shaleshock.org

CHENANGO DELAWARE OTSEGO GAS
un-naturalgas.org/

WATER UNDER ATTACK DOCUMENTARY
waterunderattack.com

Read the NYS Department of Environmental Conservation’s draft **Supplemental Generic Environmental Impact Statement** at dec.ny.gov.

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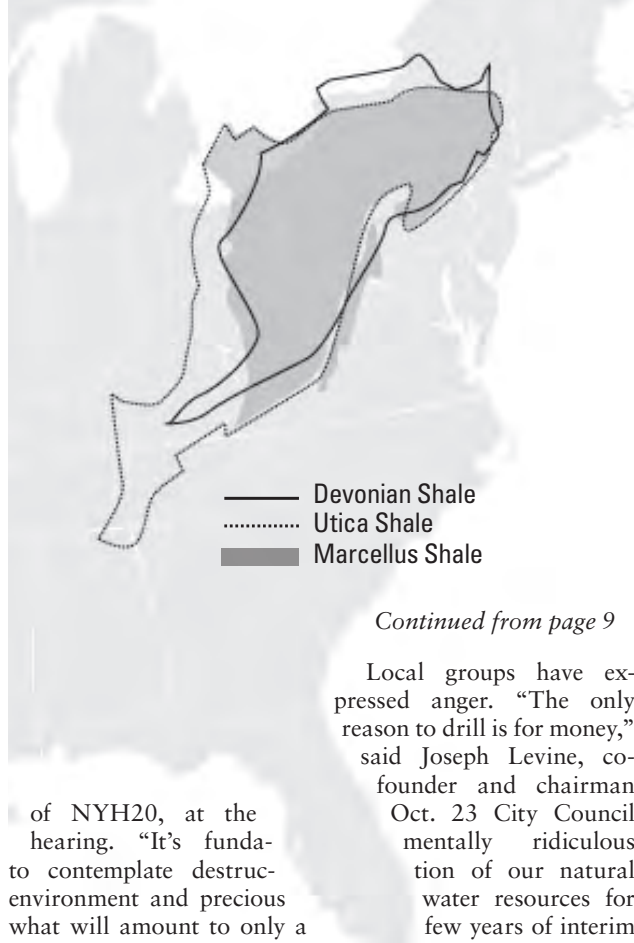
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Public Reacts to State Environmental Study



Continued from page 9

of NYH20, at the hearing. "It's fundamental to contemplate destruction of our natural environment and precious what will amount to only a few years of interim energy supply."

Also at the hearing, James Simpson, staff attorney for Riverkeeper's Watershed Program, said the SGEIS "contains no real analysis of the cumulative impacts associated with industrial gas drilling," and could result in "death by a thousand cuts" to the environment.

Some groups are looking to the federal government for part of the solution.

Energy companies are allowed to keep secret the chemicals used in fracking under the 2005 Energy Policy Act, which exempts them from the reporting requirements in the Safe Drinking Water Act, Clean Air Act, Clean Water Act and the Resource Conservation and Recovery Act. The Fracturing Responsibility and Awareness of Chemicals Act, which has been introduced in the U.S. Senate and House of Representatives, would bring oversight to the industry (S. 1215/H.R. 2766).

"This bill is crucial in reigning in an 'industry gone wild,'" said Tracy Carluccio, the deputy director for the Delaware Riverkeeper Network. The legislation is essential if "we are going to protect water resources and not just write them off as a lost cause sacrificed to gas companies' bottom line."

A long list of accidents, explosions, water and air pollution and other health complaints have been documented in eight other states where shale fracking is already occurring.

This has many New Yorkers concerned. Last year, a *Pro-Publica* investigation found that, "the DEC had told state legislators that hydraulic fracturing was safe, even though the agency had not studied or discussed the sometimes dangerous chemicals that it uses and that later wind up in its waste."

Legislators passed a bill to speed up the permitting process for an expected influx of Marcellus shale drilling permit applications. It was estimated economic activity could generate \$1 billion in state revenue. After public outcry, the same day Gov. David Paterson signed the bill July 23, 2008, he ordered the DEC to begin to draft an environmental impact statement.

In the latest twist, Chesapeake Energy Corp., one of the nation's top natural gas producers and the largest leaseholder in Marcellus shale, announced Oct. 27 that it would not seek to drill in the New York City watershed.

"How could any one well be so profitable that it would be worth damaging the New York City water system?" Chesapeake CEO Aubrey McClendon told *The New York Times*.

The move by Chesapeake, however, promises no permanent protections. Councilmember James Gennaro (D-Queens) introduced Resolution 1850-A last March to encourage the state to ban drilling in the city's watershed. A proposed bill in the New York State Legislature (A8748/S6244) would create a five-mile buffer zone around the city's watershed, as well

Local groups have expressed anger. "The only reason to drill is for money," said Joseph Levine, co-founder and chairman of the New York City Council Oct. 23 City Council hearing. "It's mentally ridiculous to contemplate destruction of our natural water resources for a few years of interim energy supply."

as require drilling to not contaminate drinking water wells.

New York City's Department of Environmental Protection (DEP), which is charged with protecting and managing the city's drinking water supply, has hired Hazen and Sawyer, a New York City-based environmental engineering firm, to assess the risks to the city's water supply associated with horizontal drilling and fracking. The final report is expected to be released at the end of the year, thus DEP proposed an extension to the SGEIS public comment period until January. Other groups are also requesting a deadline extension.

DEP Deputy Commissioner Steve Lawitts pointed to the conflicting state goals during a presentation at the Oct. 23 City Council hearing. Lawitts noted that in July 2007, the city, state and U.S. Environmental Protection Agency reached an agreement on a "filtration avoidance determination," which established a series of protective measures to keep the city's water supply unfiltered.

"Natural gas drilling without robust protections in place go against the direction we have been moving in the last 12 years [to protect the water supply]," Lawitts said.

If city water were to be contaminated by natural gas drilling, DEP estimates that it would cost at least \$10 billion to build a filtration plant, with annual operation costs of \$300 million. This, Lawitts said, could mean a 30 percent increase in water and sewage system fees for city residents. Some doubt that standard filtration could properly process fracking chemicals.

Just because Chesapeake pulled out of the Catskill Mountains, doesn't mean that the fight is over. Many observers express concern that New York's water supply may be protected at the expense of everyone and everything else. The DEC notes that the entire state is a watershed, and a deal to protect New York City's water supply would protect only two of 14 watersheds in the state.

"If drilling is unsafe for New York City's water supply, it is unsafe for anyone's water supply," Wright write.

Robert Jereski, a founding co-coordinator of New York Climate Action Group, says that New York City officials should stand up for protecting water for residents statewide.

"I stand in solidarity both with upstate communities currently under threat from drilling and New York City residents who are becoming inextricably linked to each others' quality of life by sharing food sources, breathing the same air, enjoying the same recreational areas and developing more symbiotic economies," Jereski said.

City Councilmember and former mayoral candidate Tony Avella (D-Queens) agrees. On Sept. 30 he introduced Resolution 2191, which urges New York City to support a ban on the drilling practice statewide.

New Yorkers will get a chance to express their opinions Nov. 10 when the DEC holds a public hearing on the SGEIS in downtown Manhattan at Stuyvesant High School, 345 Chambers Street, starting at 7pm.

Sunset Park resident Alice Joyce, with the group Safe Water Movement, is planning to testify at the hearing. "The imminent devastation of the state's resources is on a magnitude that is almost impossible to comprehend: and for what — to fill the pockets of the CEOs of the energy companies."

Jaisal Noor provided additional reporting for this article.

Puerto Rico Strikes

BY YOLANDA RIVERA

SAN JUAN, PUERTO RICO—In 1934, the year of the largest sugarcane workers' strike in Puerto Rican history, Antonio S. Pedreira, a wealthy writer and educator, described Puerto Ricans as lazy and irresponsible: "To be lazy, in our country, is self-repression, lack of mental activity and freewill [...] We are squatting before our future."

Seventy-five years later, the attitudes of Puerto Rico's ruling elite appear unchanged. Faced with widespread opposition to plans by Gov. Luis Fortuño to fire tens of thousands of public-sector workers and privatize government services, members of the governor's staff have called working-class Puerto Ricans "ticks" "*garrapata*" and terrorists and told them to accept privatization and layoffs because "such is life."

Fortuño, leader of the Partido Nuevo Progresista (the equivalent of the Republican Party), was inaugurated Jan. 2, 2009. In his first 10 months in office he has fired more than 23,000 public-sector workers despite promising during his campaign that he would not make layoffs. His announcement on Sept. 25 that he was firing nearly 17,000 workers spurred labor, student, religious and community groups to organize a general strike on Oct. 15.

Fortuño's administration reacted by stoking tensions. Top law-enforcement officials

to an unemployed worker who threw an egg at the governor during a press conference a few weeks earlier. Others chanted: "So, where's Fortuño? Fortuño is not here. He's selling what is left of this country."

Many people showed their dissatisfaction by scrawling anti-privatization messages on buildings. Others wore masks of the governor's face while they brandished fistfuls of money. After the march, students blocked the country's largest highway and kept it closed until the police and some conservative leaders pressured them to abandon their efforts.

With a population of 3.5 million, Puerto Rico has been a U.S. colony since 1898. About 48 percent of the population lives under the poverty level and government layoffs, which represent about 12 percent of the public sector workforce, are projected to push the unemployment rate to 17 percent.

The firings were made possible by Law 7, which passed in March. It allows Fortuño to unilaterally dismiss public-sector workers, overriding labor laws that previously prohibited such actions. Union contracts are no protection either, as Law 7 effectively voids any job protections they may contain. What's more, Law 7 clears the way for firing more public-sector workers by allowing for "Public-Private Alliances" — a euphemism for handing over government functions to private corporations.



A STRIKING ISLAND: More than 200,000 Puerto Ricans joined a general strike Oct. 15. PHOTO: SEIU INTERNATIONAL, FLICKR.COM

including the justice secretary and police superintendent threatened to charge strikers with terrorism if they disrupted traffic at the island's ports. Independent observers such as the American Civil Liberties Union described the government threats as "dangerous" and "sowing fear."

The week before the general strike, 10 campuses of the University of Puerto Rico closed their doors to prevent student protesters from using the facilities to mobilize. During democratic assemblies that gathered record numbers, students had already closed the main university campus in solidarity with fired government workers, including teachers, janitors and other service employees.

Despite the official intimidation, the demonstration and walkout went ahead Oct. 15, drawing an estimated 200,000 people and shutting down most businesses, schools and government activities on the island.

During the protest, numerous workers said the massive layoffs were part an effort to "sell the island," — to destroying public services in order to justify privatization and provide subsidies to companies owned by associates of the governor.

One marcher carried a sign calling the governor "Fortocho," a mix of Pinocchio and Fortuño. Another had a picture of the governor as a chicken with the question, "What came first, the chicken or the egg?" referring

While the governor and pundits claim the mass layoffs are necessary because the government is "too big" and is facing a \$3.2 billion budget deficit, Puerto Rico is slated to receive more than \$5.7 billion in funds from the U.S. stimulus package passed earlier this year. Fortuño also claims that private companies provide better services and that public-sector workers earn too much. Previous governors used the same justification for prior rounds of privatization that ended in disaster.

Pedro Roselló, governor from 1992 to 2000, privatized health services and sold hospitals. While insurance companies fattened their profits by delaying payments and services, enabling them to earn interest on public funds, the population has seen co-pays increase and intolerable delays in basic and urgent care, as in the case of cancer patients. Moreover, government officials under Roselló reportedly stole money from an organization that provided services for AIDS patients. In 1998, Roselló also sold Telefónica de Puerto Rico, a public telephone company, an action that triggered an enormous two-day general strike.

The following governor, Sila Calderón, the first female governor in the island (2000 to 2004), outsourced billing services in the

Continued on page 12

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UPCOMING EVENTS AT THE BRECHT FORUM

THURS, NOV 5 • 7:30pm

BOOK PARTY: A PARADISE BUILT IN HELL: THE EXTRAORDINARY COMMUNITIES THAT ARISE IN DISASTER. Author and activist Rebecca Solnit will be in conversation with author Lee Clarke and journalist A.C. Thompson about how communities respond to disaster and how history is made and revised. Sliding scale: \$6/\$10/\$15

MON, NOV 9 • 7:30pm

DISCUSSION: INDIE MUSIC AS LABOR. Round table discussion with Stanley Aronowitz, David Harvey, Sheebani Patel, Marc Ribot, Matana Roberts, and others. Co-sponsored by Associated Musicians of Greater NY. Sliding scale: \$6/\$10/\$15

FRI, NOV 13 • 7:30pm

DISCUSSION: CHINA IN THE 21ST CENTURY. Minqi Li discusses his new book, *The Rise of China and the Demise of the Capitalist World Economy*. Co-sponsored by Science & Society. Sliding scale: \$6/\$10/\$15

MON, NOV 16 • 6:30pm

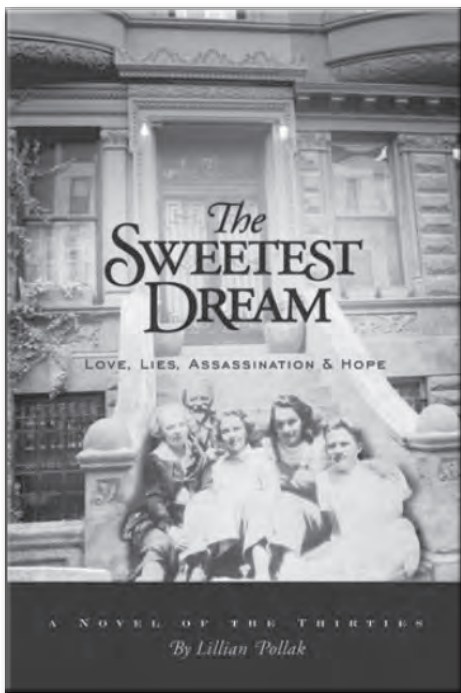
BOOK PARTY: HARLEM VS. COLUMBIA UNIVERSITY: BLACK STUDENT POWER IN THE LATE 1960S. Author Stefan M. Bradley discusses his new book.

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—Howard Zinn, Author, *A People’s History of the United States*

Author Lillian Pollak was born in New York City’s Hell’s Kitchen in 1915. She embraced radicalism at 16, went on to raise three children, earn two graduate degrees at night and teach school for 25 years. Nowadays, she participates in demonstrations for peace and justice and sings with The New York Raging Grannies.

An Island Rising

Continued from page 11

Public Water Authority to ONDEO, a French company, which failed to meet the terms of its contracts but was paid \$540 million. Aníbal Acevedo Vilá, the governor from 2004 to 2008, privatized testing services in the Department of Education and signed numerous contracts for millions of dollars with charter school organizations while denying salary increases to public school teachers. The independent teachers union, Federación de Maestros, staged a successful strike and won salary increases.

Puerto Rican workers have also seen massive layoffs in the private sector as the economy has been in recession for more than four years now. The governor claims privatizing public services will create 200,000 new jobs by 2013. The government’s development plans include promoting medical tourism; privatizing much of the public energy authority; displacing poor communities to build expensive apartments and shopping malls; and a luxury resort, casino and marina on a former U.S. naval base. Few believe Fortuño’s promises, however, given the mass layoffs he claimed would never happen.

Laid-off workers have few options. Even if they manage to land a job, an abysmal rate of private-sector unionism, less than 3 percent, means few protections. Private companies will not recognize decades of service in the public sector, offer health insurance or match government salaries.

Meanwhile, despite promises of state support, fired workers wait in unemployment lines so long that people arrive the day before their appointment at the Labor Department to claim benefits; their only alternative is accepting a government offer of \$2,000 to leave the island.

While a large number of Puerto Rican workers and students are resolved to fight the government’s policies, the movement is divided. The ruling elite are banking on this. Following the general strike, Fortuño’s Chief of Staff, Rodríguez-Ema, said, “I know we

will prevail since the movement is divided.”

The most conservative unions and political organizations are allies of the former ruling party (Partido Popular Democrático, the equivalent of the Democrats). The conservative unions, some of which seem most concerned with not losing union dues, are affiliated with large U.S. unions, such as the SEIU. These unions are mostly organized under Law 45, instituted in 1998, which allowed for unionizing public-sector workers while taking away their right to strike. Many of these workers had previously been in more militant labor “associations.”

Conservative and moderate groups are interested in getting concessions from the government even if this means reducing working hours for all public-service workers or eliminating the government’s contribution to the workers’ health insurance. During the 1998 strike against the sale of the public telephone company, leaders in some of these unions and organizations demobilized a mass-based movement that put up to 500,000 people in the streets. They negotiated a truce with the government, and the telephone company was finally sold.

While the Oct. 15 mobilization marked a big step forward, halting and reversing privatization will require a still higher level of struggle. Independent unions, such as the university non-teaching employees union, called for a workers’ party during the march. The Federación de Maestros, the teachers’ union that held a strike under the former administration; the union of electric company workers; and political organizations such as la Organización Socialista Internacional and the Movimiento Socialista de Trabajadores called for organizing from below. These unions and political groups, together with other community organizations and university professors (Asociación Puertorriqueña de Profesores Universitarios), have supported calling a general strike in the future.

Yolanda Rivera is a member of the Organización Socialista Internacional. Lee Sustar contributed to this report.



PRISTINE: The Catskills/Delaware Watersheds provide 90 percent of New York City’s freshwater supply. Natural gas deposits have been found in the Marcellus and Utica shale formations lie deep beneath portions of the Catskill Mountains. PHOTO: FLICKR.COM/ABYJOSE

Water Wars

Continued from page 9

Also excluded is proper regulation and oversight, because this might cut into company profits.

New York’s Department of Environmental Conservation notes the entire state is a watershed. Protecting the city’s water supply would only save two of 14 watersheds, leaving vulnerable watersheds that drain into the Great Lakes, St. Lawrence Waterway, Delaware River and Chesapeake Bay.

Additionally, the ProPublica investigative reporting website revealed that in shale drilling in Wyoming, the fracking fluid traveled up to 28 miles underground, contaminating 40 percent of the water wells examined.

Because state and local agencies in charge of overseeing and regulating gas drilling are understaffed and lack resources, companies have plenty of incentives to skirt regulations. Even in the rare instances when they are caught and held liable, fines are just another cost of doing business.

Three Windows into the Same Room

DOCUMENTING THE GLOBAL ECONOMIC CRISIS

Capitalism: A Love Story
DIRECTED BY MICHAEL MOORE
OVERTURE FILMS, 2009

American Casino
DIRECTED BY LESLIE COCKBURN
TABLE ROCK FILMS, 2009

The End of Poverty
DIRECTED BY PHILIPPE DIAZ
CINEMA LIBRE, 2009

A year after Lehman Brothers declared bankruptcy, a slate of new documentaries is attempting to shed light on the ongoing economic crisis. The most high profile of these films, rather unfortunately, is Michael Moore's *Capitalism: A Love Story*, which simultaneously recalls his first film, *Roger & Me*, while striving to condemn an economic system in which Moore is fully entrenched. Using the subprime mortgage crisis as a springboard for his pat explanation that capitalism is the great evil, Moore makes the same movie he always makes, but to more diminishing returns than his last film, *Sicko*.

Moore's hollow stunts, which include his self-parodying attempt to see the CEO of General Motors again, alternate with half-paranoid, half-brilliant insights, such as when he points out that the majority of those overseeing the government bailout have deep ties to the surviving financial firms. As always, the film is most engaging when Moore is off-screen, letting scenes or interviews play out without him pointlessly restating their intent: In one sequence, a group of neighbors defends one family's home from foreclosure by staging a sit-in. Moore undercuts even his own minor filmmaking skills with clichéd, Soviet-style montage, cheap kung-fu-style dubbing, and blatant Kuleshov ripoffs. The final sequence of the film — in which Moore vaguely ruminates on alternatives to capitalism while wrapping Wall Street in crime tape — seems rushed and poorly thought out and shows the lack of discipline that keeps Moore from becoming the major filmmaker he clearly is — in his head.

If Moore's film is the angsty, nerdy teen version of this story, Leslie and Andrew Cockburn's *American Casino* is the calm, level-headed older sibling. Featuring interviews with several key players as well as assorted intellectuals and everyday people affected by the mortgage crisis, the film strikes the right balance between indignation and hope.



THE END OF POVERTY?



CAPITALISM: A LOVE STORY

One consistently inspired, if over-used, approach is the introduction of an upstanding community member, such as a schoolteacher or a minister, who discusses the impact of the crisis on their community before revealing that they, too, are struggling with foreclosure and eviction. This technique of featuring hard-working, bankrupt people who explain how the crisis is affecting their communities offers an ideal counterpoint to the callow, narrow-minded thinking of the financial leaders who led us into this mess in the first place.

Lacking Moore's flair for showmanship, the Cockburns are a tad too restrained, especially when their research and insights make the viewer's blood boil. Still, they know a resonant metaphorical image when they see it, for example, closing the film with a sequence featuring the trash-filled pools of various foreclosed homes — the perfect backyard laboratories for breeding disease.

Both of these films use the mortgage crisis to talk about larger socioeconomic issues, but beyond touching on recent events, neither has the ambition or far-reaching sense of history that can be found in *The End of Poverty?*, a new film by Philippe Diaz. Ignoring the recent economic meltdown nearly altogether, the film

features interviews with a wide array of people, from Nobel Prize winners to Kenyan mineworkers, and places the origins of poverty in the historical context of colonization. Tracing the practice back to 1492 and specifically calling out Dutch and English settlers, Diaz addresses how the displacement of indigenous people from their own land, along with the subsequent enslavement of African laborers, created a culture of poverty that has been reinforced through the free-market policies of the modern era.

Providing an overwhelming amount of information through a mix of statistics and personal stories, Diaz's film never lacks ambition, but the scope of its expansive view eventually bogs it down. With seemingly hundreds of interviews, the film would be more successful as a series of individual episodes focused more concretely on specific issues. That said, it should be required viewing for anyone interested in the history of poverty. Although it does not mention the subprime mortgage crisis by name, it could hardly be more timely.

—CHARLIE BASS

The End of Poverty? opens Nov. 13 at City Cinemas Village East Cinema, 181 Second Avenue. For more info, theendofpoverty.com.

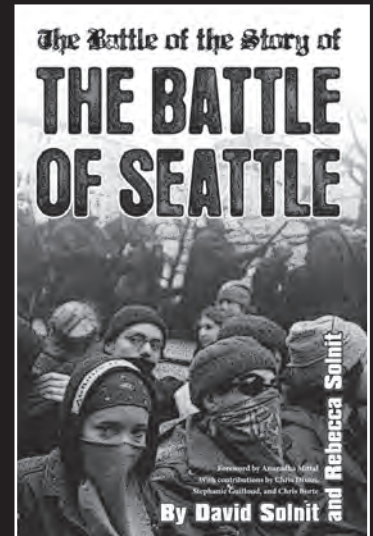
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Rethinkin' Lincoln

Lincoln and New York and John Brown: The Abolitionist and His Legacy
NEW-YORK HISTORICAL SOCIETY
2 WEST 77TH STREET, MANHATTAN

When Abraham Lincoln accepted the Republican Party nomination for the U.S. Senate in 1858, he warned that “a house divided against itself cannot stand.” The future president believed it was impossible for the rapidly growing country to continue half-slave and half-free. Like many moderates of his day, he sought a compromise solution that would contain slavery in the hopes that it would eventually expire.

John Brown shattered this illusion. In October 1859, Brown and a small interracial band of followers seized a government arsenal in Harper’s Ferry, Va., in a failed attempt to launch a slave revolt. Brown, with his long, flowing white beard, was sent to the gallows and became an instant martyr for millions. His daring raid managed to radicalize many Northern opponents of slavery while intensifying pro-secession sentiments in the South, just as the 1860 presidential campaign was set to begin.

Lincoln disavowed Brown as a madman while pursuing his successful bid for the White House. However, Brown’s parting words (“The sins of this guilty land can only be purged with blood”) would prove to be a prophetic curse. As the Civil War unfolded, Lincoln would find himself trodding much the same ground that Brown had as he reluctantly moved toward becoming the “Great Emancipator” that history remembers him as.

Now, 150 years after Harper’s Ferry, the distinct but overlapping paths of the two men — one a fiery apostle of direct action, the other a pragmatic reformer — are explored in a pair of exhibits at the New-York Historical Society. Combined, the two exhibits speak to the recurring question of whether social change is brought about by radical organizing from outside existing institutions or by reformers acting from within those same institutions.

CONTRASTING VISIONS

The John Brown exhibit is tucked away in a single upstairs room. The show follows Brown’s increasingly militant response to concessions made to pro-slavery forces during the 1850s. This in turn is a prologue to the audacious plot he hatched on a remote farm five miles outside of Harper’s Ferry. The details of the raid are precisely recounted. Unlike most abolitionists, Brown believed that slaves were ready and able to fight for their freedom and only needed the arms to do so.

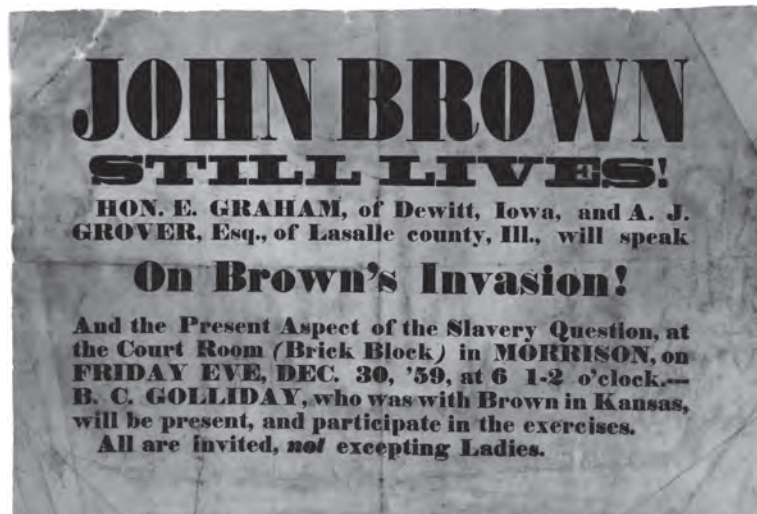
Relying heavily on personal correspondence, the exhibit presents the voices of Brown’s family mem-

show grapples with issues familiar to our own age — an unpopular war, economic crisis, incarceration of prisoners by presidential decree and deeply entrenched white racism. By focusing on Lincoln and New York, the great drama of the Civil War era plays out on a human scale.

NEW YORK ON EDGE

Support for Lincoln was thin in New York City, as many business elites wanted to maintain trade ties with Southern cotton growers while working-class whites worried that the abolition of slavery would mean more competition for their jobs. When Lincoln took office, Mayor Fernando Wood went so far as to suggest that New York should secede and become its own independent city-state, which would be free to trade with both the North and South.

These roiling tensions come to life throughout the exhibit, from Lincoln’s 1860 Cooper Union address

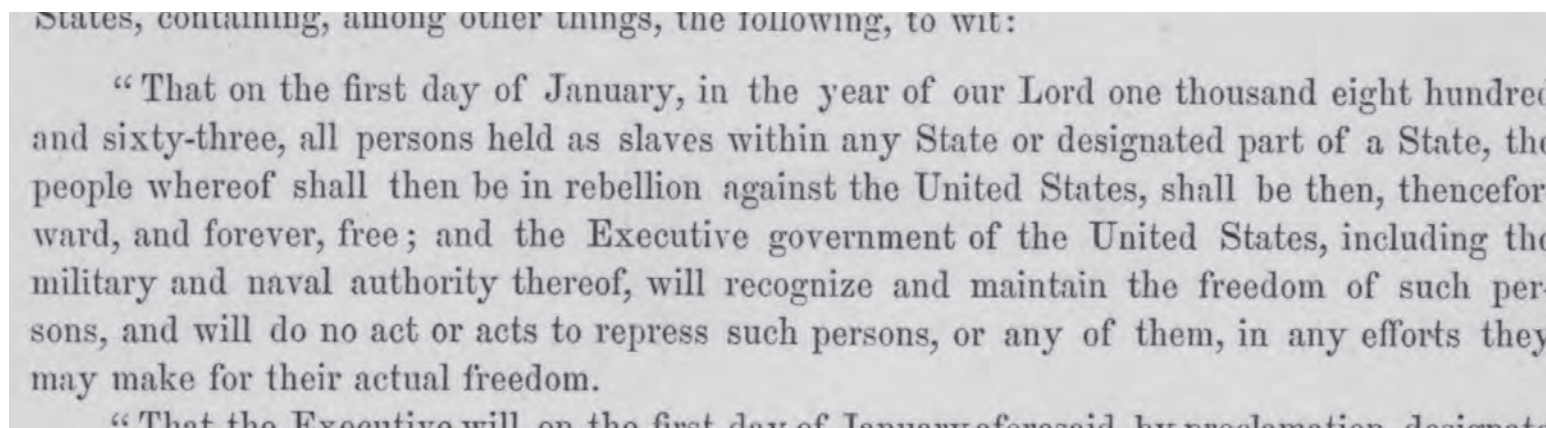


eral troops to quell the disturbance. Sitting in a small enclosed chamber, one can listen to the re-created voices of victims and eyewitnesses describing what they saw.

Lincoln’s institution of a military draft — a first in U.S. history — was the catalyst for the riots. The war’s

an extraordinary figure, but viewers are also invited to ask questions and draw their own conclusions.

The Lincoln exhibit’s greatest shortcoming is its lack of context for understanding the economic vision that guided Lincoln and the Republicans. While the Democrats were the



bers, fellow conspirators, skeptical allies in the abolitionist movement and the widow of one of his victims. Deeply religious, Brown was a man on fire. Whether he was a heroic freedom fighter or a 19th-century domestic terrorist is left for visitors to discern.

Downstairs, a sprawling Lincoln exhibit uses a vibrant multimedia format. Audio, video, photos, cartoons, paintings, newspaper front pages, personal correspondence, historic artifacts, an interactive game for aspiring war profiteers and more are used to provide a fascinating look at the 16th president and the Civil War. The

which launched his longshot presidential campaign, to torchlight parades by thousands of young, white-robed Lincoln supporters known as the “Wide Awakes” to the screaming front-page headlines of the city’s unabashedly partisan newspapers.

While the exhibit focuses on Lincoln, it does not exalt the Great Man but shows him as the controversial figure he was at the time. For many of his supporters, like the African-American orator Frederick Douglass and *New York Tribune* publisher Horace Greeley, Lincoln was far too cautious in eliminating slavery once the war was under way. His detractors, meanwhile, are shown portraying him first as a simple-minded rustic (“The Rail-splitter”) and later as a thick-lipped tyrant (“King Abraham Africanus I”) and promoter of interracial marriage, a common slur defenders of slavery used against abolitionists.

At about the midpoint in the exhibit, you can sit in the front pews of a re-created African-American church. It is Jan. 1, 1863, and jubilant voices celebrate the enactment of the Emancipation Proclamation while a stirring choral rendition of “John Brown’s Body” is performed. Six months and a couple of rooms further into the exhibit, euphoria turns to horror as simmering race and class tensions explode when poor Irish immigrants unleash their fury on New York’s African-American population.

Blown-up wall panels with street maps of the city provide a detailed log of the four-day orgy of violence. It was the deadliest riot in U.S. history. At least 120 people were killed and more than 2,000 injured prompting Lincoln to send in fed-

carnage was mounting with no end in sight. The rich could buy their way out of military service for \$300 (a massive sum for the average workingman), while private contractors made fortunes off supplying the troops with shoddy uniforms, rotten food, defective rifles and so on. Such were the conditions that allowed the anti-Lincoln press to stoke a racially charged backlash of one group of powerless people against another.

EMANCIPATION

The Union Army’s growing shortage of manpower forced Lincoln’s hand on slavery. Citing “military necessity” he issued the Emancipation Proclamation and authorized African-Americans to serve in the U.S. military (but only in segregated units). Almost 200,000 did so by the end of the war.

By freeing the slaves, Lincoln transformed the war into the kind of moral crusade previously espoused by John Brown. A proud Black soldier depicted on the front page of an African-American newspaper highlights a great irony: The same federal government that Brown rebelled against was now arming former slaves to fight for their freedom on a scale that he could have only dreamed of a few years earlier.

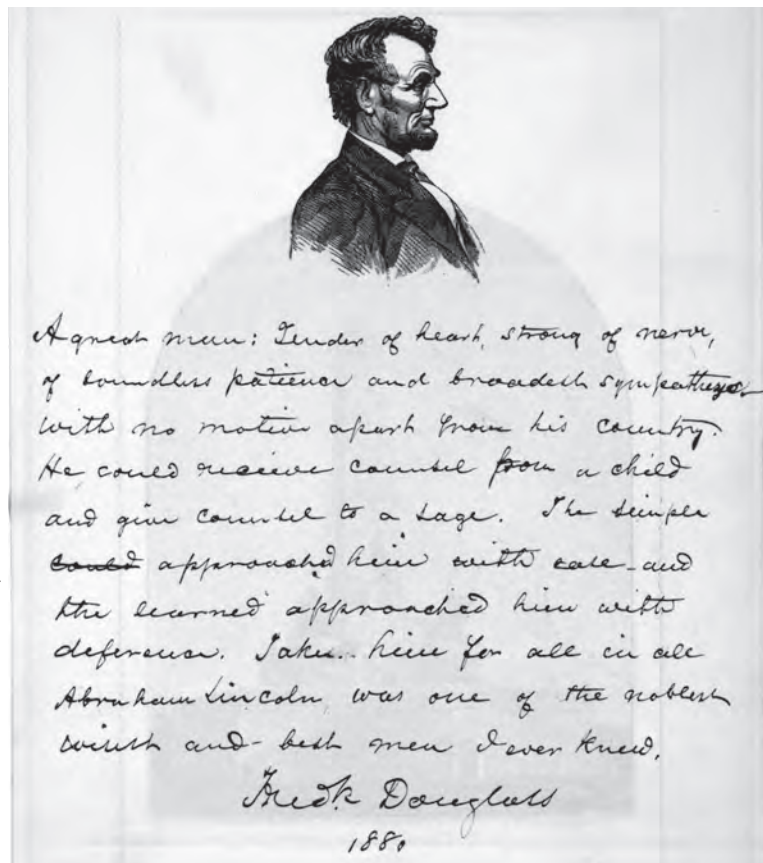
The mythology that grew up around Lincoln beginning in his own lifetime is gently deconstructed throughout the exhibit, from Greeley’s branding of “Honest Abe” during the 1860 election campaign to the post-Emancipation Proclamation depiction of Lincoln as the benevolent white father liberating the slaves to Lincoln’s final ascent to secular sainthood following his assassination. Lincoln is presented as

party of the Southern slaveholders, most Republicans were not hardcore abolitionists. They did want to see slavery’s spread halted, but for practical reasons. The expansion of the export-oriented plantation economy of the South was incompatible with the North’s continued development of a modern, entrepreneurial capitalism based on wage labor and satisfying the demand of a growing internal market.

The grand compromise that emerged following the end of Reconstruction in 1876 saw the South economically subordinated to Northern capital but allowed to maintain its “peculiar” racial caste system minus chattel slavery. Lincoln and the Republicans would have happily settled for this in 1860. Almost a century later, the civil rights movement successfully challenged many of the worst abuses of a segregated society. Cloaked in moral fervor but guided by nonviolent principles, it shook the country’s power structure and helped ignite the other great social movements of the 1960s. The tactics were different from those of John Brown — but Brown’s dream of interracial solidarity and political and social equality for all was a vision that America was once again moving toward. And much still remains to be done, regardless of who is in the White House. Even in 2009.

—JOHN TARLETON

Lincoln and New York and John Brown: The Abolitionist and His Legacy will be on exhibit at the New-York Historical Society through March 25, 2010. 212-873-3400 • nyhistory.org



GRAPHICS COURTESY OF THE NEW-YORK HISTORICAL SOCIETY

As I write this, police are still patrolling the street below me. The red and blue lights flash between the buildings. It all began in early June when a young brother walked to the edge of a block party and fired his gun, scattering people under tables and into doorways as he emptied his clip and ran. I don't know who he was, but I know where he went.

He flew into the same blind rage that Huey Newton describes in his autobiography, *Revolutionary Suicide*, as the “spiritual death” of the oppressed. It’s a rage caused by the pressure of poverty, as youths are passed through schools that don’t teach, then forced to search for jobs that don’t exist and finally left stranded in the street to stare at the glamorous lives advertised around them. The rage turns inward. When that young brother shot at us, he was committing what Newton calls “reactionary suicide,” an act of self-murder, because he was targeting those who, like him, are black, poor and vulnerable.

Reviewing *Revolutionary Suicide* nearly 36 years after its publication is an uncanny experience. Huey Newton was, and remains, the icon of the Black Power movement. He and Bobby Seale founded the Black Panther Party in 1966. The Oakland-based organization's ten-point program called for employment, housing, health care and education for all members of the black community, as well as the end of police brutality toward blacks. Although they began a free breakfast program, they are remembered more for carrying guns and fighting back against the white police who terrorized the black community. While the local police harassed and killed members of the party and the FBI's Counter-Intelligence Program (COINTELPRO) program pitted them against each other, it was the party's internal power struggles that brought the Black Panthers down in 1976.

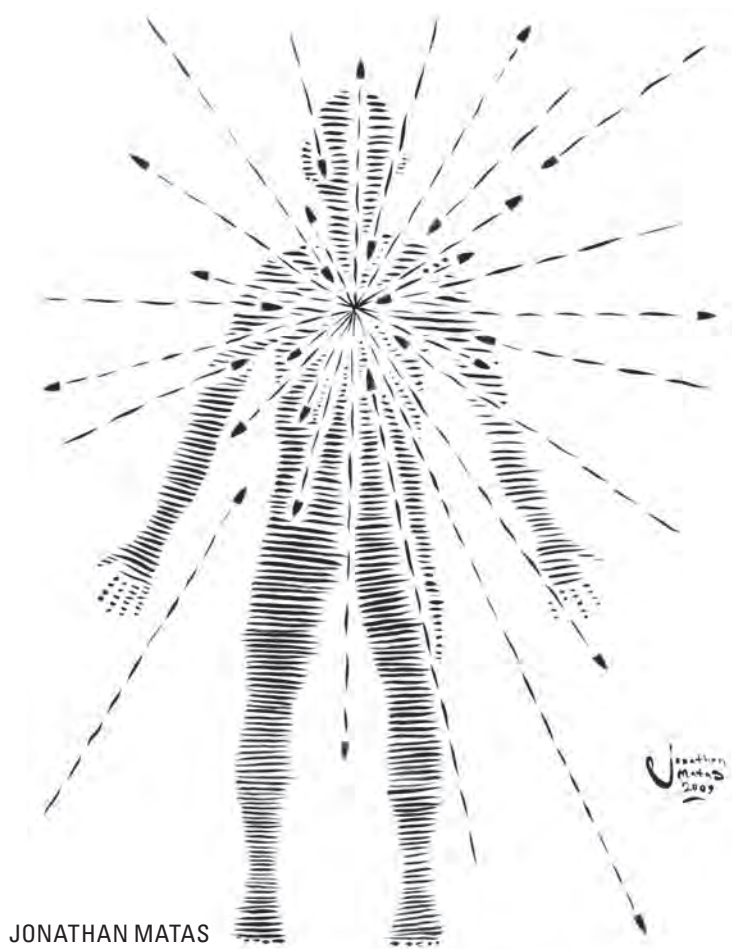
Revolutionary Suicide has been rereleased in our supposedly “post-racial era.” I guess I should read Newton’s autobiography for nostalgia, testing its truth-claims against the history left in their wake. Did the revolution come? No. Many Black Panthers died,

but does the depth of their sacrifice guarantee the value of their ideas? Again, no, but these questions are political, not literary.

Newton's book is more than a partisan memoir; it's a ceremony of words, a liturgy within the institution we know as the martyr's

temptation. Newton was released, trapped and shot, tried for the murder of a policeman, imprisoned and released again. With his murder in 1989, Newton found eternal life in the memory of the people.

Revolutionary Suicide is quick, fluid and elegant. Newton made



JONATHAN MATAS

discourse. It is a careful constellation of archetypal scenes.

His father was a proud black man who never let whites cross him, but he was worn down by endless work to pay endless bills. Newton saw the man he loved beaten by the world and vowed revenge.

In school, his teachers read him *Little Black Sambo* and called him stupid. But he fought back and got his first taste of power. He entered his senior year of high school functionally illiterate, but, like Frederick Douglass and Malcolm X, he overcame his shame by teaching himself to read using Plato's *Republic*.

Like Douglass, Malcolm and even Saint Paul, Newton's eyes opened to the senseless barbaric pain the poor endure. He fought like his father before him and the martyrs before them both. He was jailed and went through the same rite of passage that medieval Christian mystic Boethius did in his *Consolation of Philosophy*. He endured dark nights that ended with a spiritual discipline that made him invulnerable to pain or

his life into a myth in order to transform the reader into a revolutionary. The martyr's discourse transforms. It shifts the referential duties of words; it unlocks blindness, opens the world within the world. The only dishonesty in *Revolutionary Suicide* is the dogma that political activism leads to ultimate freedom. All freedom is conditional. You can be free for and with the people, which is noble enough, but the cost is that you can't be free to be yourself. Newton warns that you can't be yourself until you confront the society that created you.

Yet another way to review this book is to look at him not from our eyes but to look at us through his. If Huey were here, he'd call out to the brother who fired his gun at the party, chase him down and say patiently and without fear, "You can re-create this world," and touch the gun holstered on his hip, then his head and say, "I did. You can. We are."

—NICHOLAS POWERS

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READING: THE JOY IN DISASTER. Author Rebecca Solnit reads from *A Paradise Built in Hell*, which chronicles how in the wake major disaster a wave of altruistic and brave behavior shapes peoples' experience, rather than selfishness and chaos.

TUE NOV 10, 7PM • \$5 Sugg

FILM PREVIEW: *THE END OF POVERTY?* *The Independent* and Cinema Libre Studios present a sneak preview of *The End of Poverty?*, followed by a discussion with director Philippe Diaz and *Independent* editor Arun Gupta.

WED NOV 11, 7PM • \$5 Sugg

READING: ECOLOGICAL DEBT. In a time of financial meltdown and climate change, Ariel Salleh reads from *Eco-Sufficiency & Global Justice: Women Write Political Ecology*.

MON NOV 16, 7PM • \$5 Sugg

READING: THE BLACK BODY. Meri Danquah, Greg Tate and Stephanie Armstrong talk race and their contributions to the new collection *The Black Body*, a collection of essays that address the black body's vast role in American culture.

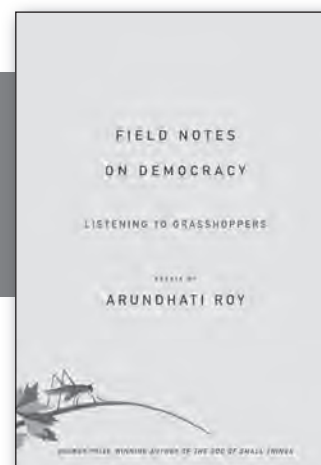
THU NOV 19, 7PM • \$5 Sugg

FILM: GOOD MEN. A documentary that follows 10 very different men and their attempt to be good fathers, sons, workers and men. Discussion follows with the founder of The Good Men Project, Tom Matlack.

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Following the preview, there will be a panel discussion with director, Philippe Diaz and Independent journalist, Arun Gupta.